

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Manuel SALAZAR-Felix,

Defendant

Magistrate Docket No.

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **June 4, 2008** within the Southern District of California, defendant, **Manuel SALAZAR-Felix**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

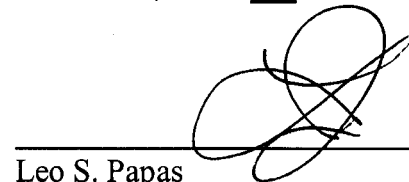
And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **5th DAY OF JUNE 2008**.



Leo S. Papas
UNITED STATES MAGISTRATE JUDGE

TLN

CONTINUATION OF COMPLAINT:
Manuel SALAZAR-Felix

PROBABLE CAUSE STATEMENT

On June 4, 2008, Supervisor Border Patrol Agent A. Lopez was performing line watch duties in the Brown Field Border Patrol Station area of operations. At approximately 6:30 AM, Agent Lopez responded to a Infrared Scope operator requesting for assistance. This area is located approximately three miles north of the U.S./Mexico International Boundary Fence, and seven miles west of the Tecate California Port of Entry.

Agent Lopez responded to the area and after a brief search encountered five subjects attempting to conceal themselves in dense brush. Agent Lopez identified himself as a United States Border Patrol Agent and questioned each subject as to their citizenship and immigration status. All five, including one later identified as the defendant **Manuel SALAZAR-Felix**, admitted to being citizens and nationals of Mexico not in possession of any immigration documents which would allow them to enter or remain in the United States legally. At 6:45 AM, Agent Lopez placed the five subjects under arrest, including the defendant. All of the subjects were transported to the Brown Field Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on March 28, 2008 through San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.